



Department of State Civil Service

Contract Review Questionnaire

Civil Service Rule 3.1(o) requires the Department of State Civil Service to review contracts for personal services to determine if classified state employees *could and should* perform the services stated in a contract between the State and any person. The Department of State Civil Service will review in greater detail all proposed contracts that impact the jobs of classified state employees and/or their employment status. This expanded review of a proposed contract requires the agency to complete the attached questionnaire. Responses to the questionnaire will be reviewed by Civil Service staff to determine recommendation for approval or disapproval of a contract to the Civil Service Commission. Actions taken by the Civil Service Commission will take place in a public hearing. The agency may be asked to appear before the State Civil Service Commission to explain any or all aspects of the proposed contract.

Items included in the questionnaire focus on two types of privatization methods that most commonly impact the jobs of classified state employees:

- 1) **Contracting Out (Outsourcing)** - government competitively contracts with a private organization, for-profit or non-profit, to provide a service or part of a service and
- 2) **Commercialization (Service Shedding)** - government stops providing a service and lets the private sector assume the function.

Contracts may be exempt from the Civil Service review process if they meet the requirements for exemption deemed by the Department of State Civil Service. Exempted contracts may be viewed by accessing the Department of State Civil Service's web site at <http://www.dscs.state.la.us> (following the path Department/About CS/Program Assistance/Contracts Exempt from CS Approval). **If this contract meets the Department of State Civil Service's exemption requirements you do not have to complete this form. This form must only be completed at the request of the Department of State Civil Service in cases where it has been determined that the proposed contract impacts the jobs of current classified state employees and/or the service in the contract has been traditionally performed by classified state employees.**

Questionnaire Format

The questions focus on 5 important factors associated with privatization. The 5 factors include:

I. Implementation Structure

Identifies the contractor and describes the overall terms of the contract. Also provides other general information.

II. Legislative Requirements

Describes the duties and responsibilities that are required by Title 36 for a department.

(Note: Title 36 establishes departments within the Executive branch of government and further allocates to these departments their powers, duties, functions, and responsibilities.)

III. Cost Data

Presents the data used to determine and compare the cost to provide the service being considered for privatization.

IV. Workforce Transition

Describes the strategies and methods by the agency used to aid impacted classified state employees.

V. Monitoring and Oversight

Describes the evaluation methods and terms used to evaluate the performance of the contractor.

Contract Review Questionnaire

Directions: Please answer completely the following questions in sections 1-5 regarding the proposed contract being reviewed by the LA Department of State Civil Service for approval.

I. Implementation Structure:

Agency: _____
Contractor: _____

1. What is the contract effective date and duration of the contract?

2. Briefly describe the service and/or activity that will be provided by the contractor.

3. Is this contract the result of the agency having insufficient T.O. (positions in the agency's Table of Organization) to perform this function? If yes, explain what efforts have been taken to acquire the number of positions needed to perform this function.

4. How will implementation of this contract make a difference in the quality and/or quantity of the service?

II. Legislative Requirements:

1. Is the proposed function considered to be of high strategic importance and critical to the success of the agency meeting its goals and objectives? Explain.

2. Are there any existing laws, tax policies, regulations, or grant requirements that either mandate or constrain who can perform this function? Explain.

III. Cost Data

Please provide the following cost information for the duration of the contract:

1. Agency's cost to perform the service

Present the cost incurred each year of the contract period. This estimate must include all direct and indirect costs. Examples of direct costs are personnel, operating expenses, professional services, acquisitions, etc. Indirect costs are the costs indirectly associated and/or linked to the proposed activity. Indirect costs must include overhead. Examples of indirect costs are accounting functions, human resources, information systems, etc. If an inflation rate is calculated into the cost, indicate the amount of the inflation rate in a notation.

(Note: A spreadsheet can be use to show this data)

2. Contract cost and its administration cost

Present the amount to be paid to the contractor each year of the contract and include the cost of the agency to administer and monitor the contract for this period. If an inflation rate is calculated into the cost, indicate the amount of the inflation rate in a notation.

(Note: A spreadsheet can be use to show this data)

3. Total savings due to contract implementation

Present the total amount of savings due to the implementation of the contract.

IV. Workforce Transition

(Note: The Department of Civil Service encourages agencies to provide options for those employees impacted. If a reduction in force results from the proposed contract, displaced workers will receive non-competitive reemployment eligibility lasting up to 10 years and will be placed on a department preferred list¹ for 2 years.)

1. Are the services and/or functions of the proposed contract currently being performed by classified state employees? If yes, list the number of incumbents and their job titles and skip to question #3. If “No” you must complete question #2.
2. Is this a service and/or function that has traditionally been performed by classified employees? If yes, state the job titles.
3. How many classified state employees will be impacted and/or displaced as a result of this contract?
4. What employment options will the impacted employees be given? (Example: retirement options, reemployment with private contractor, opportunities for other positions within the agency, etc.)
5. Will there be any training and/or other job services provided for the impacted employees if a reduction in force is a result of the contract? Explain.

¹ A list of employees who have been laid-off or otherwise affected by a layoff that are given preferential hiring rights in the department/agency affected by a layoff.

V. Monitoring & Oversight

(Note: Monitoring and oversight is needed to evaluate the contractor's compliance with the terms of the contract and to evaluate the contractor's performance in delivering services.)

1. How will the agency monitor the services provided by the contractor?

2. Does the agency have the expertise and/or staff on hand to provide adequate monitoring of the contract? If yes, list the number of employees and their job titles that will monitor the contractor's performance. If no, who will monitor the contractor's performance?

3. Does the contractor have a record of effective performance in this area?